

STATE OF LOUISIANA
GROUND WATER MANAGEMENT COMMISSION

IN RE: GROUND WATER *
MANAGEMENT COMMISSION *

REPORT OF MEETING
HELD AT
BATON ROUGE, LOUISIANA
OCTOBER 22, 2001

STATE OF LOUISIANA

GROUND WATER MANAGEMENT COMMISSION

IN RE: GROUND WATER *
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Report of the public meeting held by the Ground
Water Management Commission, State of Louisiana, on
October 22, 2001, in Baton Rouge, Louisiana.

COMMISSION MEMBERS IN ATTENDANCE:

Karen Gautreaux, Chairman
Philip Asprodites, Commissioner of Conservation
Zahir "Bo" Bolourchi, Secretary, DOTD
George Cardwell, Capital Area Ground Water Commission
William "Bill" Cefalu, Police Jury Association
Richard Durrett, Sparta Groundwater Conservation Dist.
Peggy Gantt, Louisiana Municipal Association
Dale Givens, Secretary, DEQ
Fulbert Leon Namwamba, Geologist
Brad Spicer, Agriculture & Forestry
John Roussel, Assistant Secretary Wildlife & Fisheries
Linda Zaunbrecher, Farm Bureau Member

AGENDA

- I. Call to Order - Karen Gautreaux, Governor's Office
- II. Oral presentations of the top two (2) Proposals (RFP) for Assistance with Development of Statewide Comprehensive Water Management System Anthony Duplechin, Jr., Office of Conservation
- III. Presentation of the Draft of the Amended Emergency Rule for Critical Ground Water Area Designation Procedure and Process
- IV. Ground Water Staff Report
- V. Ground Water Management Advisory Task Force Committee Reports
- VI. Ground Water Management Advisory Task Force Comments
- VII. New Business
- VIII. Public Comments
- IX. Schedule for Next Meeting
- X. Adjourn

GROUND WATER MANAGEMENT COMMISSION

OCTOBER 22, 2001

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COMMISSIONER GAUTREAUX:

Let's get started. I've spoken to Mr. Cefalu and Dr. Bahr. Dr. Bahr is on a -- oh, there you are. I'm sorry. I didn't see you sitting in your chair. All right. So what we're going to do today is first I'll call us to order and ask all of the Commission members just to identify themselves for the record. I'm Karen Gautreaux, Chair of the Commission.

COMMISSIONER ASPRODITES:

Philip Asprodites, Commissioner of Conservation.

COMMISSIONER BOLOURCHI:

Bo Bolourchi, Department of Transportation and Development.

COMMISSIONER GIVENS:

Dale Givens, DEQ.

COMMISSIONER CARDWELL:

George Cardwell, Capital Area Ground Water Commission.

COMMISSIONER CEFALU:

William Cefalu representing the Police Jury Association.

COMMISSIONER NAMWAMBA:

Fulbert Namwamba, Southern University, Baton Rouge.

COMMISSIONER ROUSSEL:

John Roussel, Department of Wildlife and Fisheries.

1 COMMISSIONER DURRETT:

2 Richard Durrett, Sparta Groundwater Commission.

3 COMMISSIONER SPICER:

4 Brad Spicer, Louisiana Department of Agriculture
5 and Forestry.

6 COMMISSIONER ZAUNBRECHER:

7 Linda Zaunbrecher, Louisiana Farm Bureau.

8 COMMISSIONER GANTT:

9 Peggy Gantt, Louisiana Municipal Association.

10 COMMISSIONER GAUTREAUX:

11 Thank you. I'd also like to thank the many
12 members of our Task Force who have joined us this
13 afternoon. I think we had a good meeting this
14 morning, and as discussed at that meeting, we are
15 going to first make a presentation, not first in order
16 but we will make a presentation of the committee
17 discussions at that Task Force Advisory meeting. But
18 first, the first item on our agenda are presentations
19 by the top two proposers, and I've asked Bob Harper,
20 Undersecretary for DNR, to explain what's going to
21 happen today.

22 MR. HARPER:

23 Yes, good afternoon. We have narrowed the list,
24 or the Office of Conservation has narrowed the list
25 down to two potential contractors for this contract,
26 C.H. Fenstermaker and CH2M Hill. A decision has been
27 made to go to oral presentation in an attempt to
28 evaluate these two proposals. The only people that
29 will be able to ask questions during these
30 presentations will be the members of the selection

1 board itself. They're going to have two -- excuse me,
2 there will be a 20-minute presentation, a 20-minute
3 oral presentation, and then there will be 15 minutes
4 available for questions and answers. Fifteen minutes
5 into the 20-minute presentation we will notify the
6 proposer that there is five minutes left in their time
7 slot.

8 We are going to ask that CH2M Hill, since they're
9 the second participant, since they're the second
10 proposer to wait outside so as not to give them an
11 unfair advantage by getting to listen to the first
12 proposal. That pretty much wraps up the way it's
13 going to be. We're ready to go.

14 COMMISSIONER GAUTREAUX:

15 Thank you, Bob. I thought what we could do first
16 is ask you or Tony to identify the members of the
17 selection committee in case anyone missed that last
18 time.

19 MR. DUPLÉCHIN:

20 The members of the selection committee are
21 myself, my name is Anthony Duplechin; Secretary Dale
22 Givens from the Department of Environmental Quality;
23 Mr. Bo Bolourchi from Department of Transportation and
24 Development; Charlie Demas, District Chief, Louisiana
25 District US Geological Survey; and Mr. Jim Marchand
26 who is a lawyer with the Louisiana House of
27 Representatives and Environment Committee.

28 COMMISSIONER GAUTREAUX:

29 Thank you. I would like to thank all the members
30 of the selection committee. I know they've put in a

1 great deal of time in going through the proposals and
2 developing the recommendations to this point. Let's
3 see. We have about three minutes to go. I mean, do
4 we need to wait until promptly a quarter till? Okay.
5 Well, let's go through the agenda very quickly. I'll
6 do a little time filler. I'd just like to thank the
7 people that responded to the E-mails. We had a little
8 reconciliation of mailing lists, and I appreciate all
9 of you who were having -- were not on all of the lists
10 and letting us know. Hopefully that will enable
11 people to get the materials a little more smoothly.

12 And in the package of materials you received you
13 should have received a Draft Proposed Revisions to the
14 Emergency Rule. As most of you know we've had an
15 emergency rule in place that deals with the
16 application procedure for a critical groundwater area
17 designation. Today, later on in the agenda, we'll
18 talk a little bit about some proposed revisions, which
19 include tweaks to the emergency rule that we had
20 developed, as well as laying out a proposed procedure
21 for the whole hearing process, not just the
22 application. So hopefully if you were on the E-mail
23 list you did receive that in advance and have had a
24 chance to look at it. We're not going to ask for
25 action today. We'll ask you to look at it, relay your
26 comments. If you'd like to say something today, later
27 on in the meeting you'll have an opportunity, but we
28 will not be asking for any action today.

29 Is there anybody on the Commission that would
30 like to say anything or comment in our two minutes

1 left? (No response.) It's a very happy group. Good
2 to see it. Okay, well what we'll do is just ask them
3 to come in and get ready to get started, if someone
4 can let the -- Jim Marchand, since you're on the
5 selection committee, does every one of our selection
6 committee members, and Charlie, too, why don't we sit
7 by mikes in case you have a question to direct to the
8 proposers? They may be off in a room getting ready,
9 but is there anyone from the next proposers in the
10 audience, CH2M Hill?

11 (No response.)

12 MR. HAMILTON:

13 Good afternoon. I'm Brad Hamilton, Executive
14 Vice President for C.H. Fenstermaker and Associates
15 and Manager of our Environmental Division. I would
16 like to thank the Commission for allowing us to
17 present our qualifications and to be here to make this
18 technical presentation. As Louisiana residents we
19 have followed the state's interest in developing a
20 water management plan and we look forward to working
21 with you to create this plan.

22 Since there's only 20 minutes allowed for this
23 presentation, we are going to be moving very rapidly.
24 During this presentation it's important to note not
25 only what we are planning to do but what we are not
26 planning to do. We are not planning to, quote,
27 reinvent the wheel. We are not going to duplicate
28 studies that have already been performed, and we are
29 not going to collect data that already exists. We
30 will, however, collect and analyze existing data and

1 determine where data is missing and what needs to be
2 collected. Our focus is to provide a management plan
3 that will serve as a road map for the Commission and
4 the Legislature in developing and implementing water
5 regulations for the state.

6 The development of a comprehensive water
7 management plan for Louisiana will be a
8 multidisciplinary effort requiring the expertise of
9 professionals who are highly skilled in the fields of
10 hydrology, hydrogeology, water surface hydrology,
11 water resource engineering, regional planning,
12 economics, and environmental law. Understanding the
13 complex nature of the planning project on the scale
14 proposed by the Ground Water Commission, C.H.
15 Fenstermaker and Associates has assembled a team whose
16 members have accumulated many years of expertise in
17 all of the above fields.

18 This team is uniquely qualified to deliver the
19 water management plan and to deliver it on time. The
20 Fenstermaker team is fully committed to this project
21 and has staff available to initiate the project
22 immediately and to bring it in two months ahead of
23 schedule. Our team members will work -- will all work
24 and reside in Louisiana. The team will be in place
25 and available to start work immediately upon receiving
26 the notice to proceed.

27 C.H. Fenstermaker and Associates will be the
28 prime contractor and the project coordinator. With
29 home offices in Lafayette and branch offices in New
30 Orleans, Houston, and Nashville, we have been serving

1 Louisiana for over 50 years. As a recognized leader
2 in the GIS field we will apply this technology to the
3 project as a management tool. Our engineering and
4 environmental professionals have long-term relations
5 with both state and federal regulatory agencies. Mr.
6 Raymond Reaux, P.E., will serve as project manager.

7 LBG-Guyton and Associates of Austin is one of the
8 oldest groundwater consulting firms in the United
9 States. With substantial experience in regional water
10 planning and water resource economics, they have
11 developed the sound reputation throughout the
12 southwest and the Gulf Coast for their work in the
13 areas of groundwater exploration, development and
14 management, planning, and economics. Bruce Darling,
15 Ph.D., chief hydrologist for Guyton, will handle most
16 of Guyton's involvement in the project. He worked
17 very closely on regional water plans developed for the
18 state of Texas. These regional plans developed
19 policies tailored to the needs of each of the state's
20 16 water planning regions. Dr. Darling will relocate
21 his office and will be domiciled in Louisiana for the
22 duration of the project.

23 Hydro-Environmental Technology. Located in
24 Lafayette, Hydro-Environmental Technology offers over
25 15 years of experience in groundwater and surface
26 water development and water quality issues in
27 Louisiana. Their experience with assessment of ground
28 and surface water supplies in Louisiana and other
29 states, along with their familiarity with the state's
30 major and minor aquifers will be an important asset to

1 the team, the team's ability to identify and address
2 significant local and regional water supply issues.
3 Mr. Stewart Stover, a registered professional
4 geologist in Alabama, Tennessee, Mississippi, and
5 Florida, is a recognized expert witness in the state
6 of Louisiana in the field of hydrogeology. He's a
7 licensed water well contractor having drilled and
8 supervised over 500 wells throughout the state.

9 Located in Lafayette with branch offices in
10 Monroe and Shreveport, Onebane is one of Louisiana's
11 largest full-service regional law firms. Attorneys
12 with the environmental law group assist corporate and
13 individual clients in navigating the complex
14 environmental maze of laws, statutes, regulations.
15 Mr. Brent Sonnier, Onebane's representative on the
16 team, is a degreed geologist and hydro and
17 environmental engineer. With experience in virtually
18 every area of environmental law, Mr. Sonnier will
19 offer guidance and assist in such issues as inter-
20 jurisdiction of water resource conflicts, and the
21 development of rules that will guide the comprehensive
22 water management plan.

23 I'm going to turn the presentation over to Dr.
24 Bruce Darling who will address the project scope and
25 the groundwater issues.

26 DR. DARLING:

27 Thank you very much, Brad. I'd like to start
28 off by making a few comments here about the nature of
29 water planning or water management plans. First off,
30 in the simplest terms, what is a water management

1 plan? Simply it's a framework to guide the orderly,
2 fair, equitable development and use of the state's
3 water resources. By its nature it's a
4 multidisciplinary exercise that involves experts who
5 are skilled in the fields of hydrogeology,
6 engineering, planning, economics, and law. It looks
7 at a number of issues, specifically issues related to
8 sustainability, and that is sustainability related to
9 both water quality and water quantity. We're also
10 looking here at issues related to critical groundwater
11 areas. That was a major area in the work that we did
12 in the state of Texas with the development of the
13 Texas Water Management Plan.

14 The water planning process is a complex process.
15 It involves -- it means that the planning team and
16 others involved in the planning process, such as
17 members of the Commission and the Task Force, must
18 look at a number of issues, specifically the state's
19 -- assessments of the state's groundwater resources
20 and surface water resources. Also important is an
21 assessment of the distribution, water distribution
22 systems of the state, both present and projected.

23 Property rights are always very important
24 components of any assessment -- in any attempt to
25 develop a water management plan. In the case of
26 Louisiana you'll find that inter-jurisdictional issues
27 are highly significant. The impact of a plan on
28 economic development of the state cannot be ignored.
29 Water management plans do have a direct and indirect
30 effect on economic development.

1 The legal and regulatory structure with which a
2 water management plan is framed cannot be ignored.
3 You cannot just pull a plan off the shelf from another
4 state and apply it to your own state. There are
5 specific legal and regulatory issues that have to be
6 addressed before you can actually frame a plan that's
7 specific to the needs of your state. Lastly and --
8 well, the plan must also look at past and projected
9 water demands within the state.

10 Given the time frame here I'm going to blow
11 through these next two slides. This is an example of
12 what we're trying to do here to sort out water demand
13 in the state of Louisiana. These are based on data
14 from the year 1990. We are looking at per capita
15 water usage per parish in Louisiana in 1990. Why is
16 this significant? If you look at the lower end of the
17 scale, it is the city, the parishes with lower
18 populations. You'll see wide disparities in per
19 capita water uses. Now, average per capita water use
20 in the United States is typically reported at about
21 160 gallons per person per day. It varies from region
22 to region. But that spread down there in the lower
23 end with those outliers, especially on the upper end,
24 suggests that there may be potential problems with the
25 way that cities are reporting their per capita water
26 use or their total water use to the US Geological
27 Survey when the survey conducts its water use surveys
28 on a yearly basis. So issues like this must be
29 resolved so that you can make reasonable projections
30 out over the period of time that can be supported by

1 your data.

2 A few words about water planning approaches. In
3 the work that I've done in water planning, I've
4 divided -- I've identified what I consider to be two
5 extremes within this perspective, within the spectrum
6 of water planning. The first is what I call a top-
7 down approach. This is typified by the state of
8 Florida. In the state of Florida the water management
9 goals are set by the Florida Department of
10 Environmental Protection, which is an agency, a
11 regulatory agency that has considerable regulatory
12 clout within the state. As a result of that the water
13 management plans in Florida are highly regulated. I
14 don't know how much citizen input goes into these
15 things, but the Florida Department of Environmental
16 Protection takes this task very seriously. The
17 development of the plans is then handed down to the
18 water management districts within the state of
19 Florida.

20 On the other hand I have what I call a bottom-up
21 approach, which is characterized by the state of
22 Texas. In this case the management goals are not set
23 by a regulatory agency. They are set by a series of
24 -- by the 16 regional water planning groups which work
25 in concert with what is called the Texas Water
26 Development Board, each water planning group defining
27 the goals for its own region. The system is highly
28 interactive and strives for voluntary compliance. A
29 problem with the Texas plan is that really it doesn't
30 have much teeth because the Water Development Board is

1 not a regulatory agency as the Florida Department of
2 Environmental Protection is.

3 These two as I say establish the two extremes on
4 the water planning spectrum. In between are states
5 like Arkansas and Mississippi, which have set up
6 different systems to approach water management.
7 Louisiana here must address where it -- must look
8 carefully at where it wants to fall within that
9 spectrum. Does it want to be a highly regulated
10 state, a state with very little regulation as Texas
11 is, or does it want to find some point within that
12 spectrum between the two, which will allow it to have
13 some degree of control over water resources that is
14 not evident in Texas.

15 How are we going to approach this? Well, as Brad
16 said, we're not going to reinvent the wheel. This is
17 water planning. Water resource studies, both
18 groundwater and surface water for the State of
19 Louisiana have been done and they've been done very
20 well. Therefore it is not our objective to reproduce
21 the work of the US Geological Survey or universities
22 or other federal or state agencies have done. What we
23 will do, what we will do is collect all of the data
24 from the different databases, identify and collect
25 those databases. We will look at the databases,
26 assess them for completeness and quality to determine
27 how or where or what we need to do to find -- to fill
28 in data gaps and to propose additional studies that
29 you might want to look at down the road in order to
30 collect that data.

1 We're going to look also at the interaction
2 between groundwater and surface water issues. You
3 cannot look at groundwater apart from surface water.
4 They are actually part of one big whole. And so part
5 of what Brad will talk about when he comes back up
6 next is the need to address groundwater/surface water
7 interaction through the GIS format that we're going to
8 propose here.

9 What else are we going to do? Well, where
10 possible and where supported by the data now we're
11 going to identify critical groundwater areas or
12 potentially critical groundwater areas. That could be
13 based on a number of factors, such as declining water
14 levels or increasing chloride concentrations in
15 groundwater, for example. We're going to lay out
16 additionally the basis for delineating critical
17 groundwater areas. And in addition to all of this
18 we're going to develop, as I said, this GIS format
19 that will allow us to do this quickly and efficiently.

20 We're going to review the water plans of other
21 states; Florida, Mississippi, Arkansas, California,
22 wherever else we can get our hands on to provide to
23 the members of the Commission and the Task Force a
24 summary of these plans, the basis for the plans, what
25 the plans hope to accomplish, and how they accomplish
26 them, so that the members of the Commission and the
27 Task Force can themselves have a broad perspective on
28 what water plans are and how they are applied in the
29 United States.

30 Then finally, we are going to create and maintain

1 a project website to assist us in contact with the
2 public, to facilitate contact with the Commission, and
3 to help in the development of our emergency and
4 contingency use plans down the line.

5 Our schedule for this is an abbreviated schedule.
6 I say an abbreviated schedule, we want to do this by
7 the end of October of next year. Why so quickly?
8 It's my experience with water planning that you've got
9 to get on it and you have to stay on it. You have to
10 make sure that to those of us from the consulting side
11 are continually engaged with people in the public
12 sector, such as yourselves, so that we can get this
13 plan started, we can get it -- we can start a dialogue
14 early and keep it going, and make sure that the plan
15 is pushed through to conclusion without long gaps in
16 the process.

17 My role in this will be, I will be on the ground
18 from day one pushing this thing on a full-time basis.
19 This will be my only commitment for the entire period
20 of time during which we are involved in this study.

21 Brad, I'm going to turn this back over to you for
22 discussion of the surface water issues.

23 MR. HAMILTON:

24 Thank you, Bruce. In addition to surface water
25 I'm also going to touch briefly on inter-
26 jurisdictional relationships, graphic information
27 systems, and a project website.

28 Louisiana surface water and environmental health
29 is measured by the health of our watersheds. The
30 State of Louisiana is comprised of 60 watersheds, and

1 you can see them on the screen there, some of which
2 are shared with other states. EPA has assigned an
3 index of watershed indicators to each watershed
4 generally rating its water quality and its suitability
5 to meet its designated uses. This index will be
6 incorporated into the overall study of the state's
7 water resources.

8 Increasingly, water professionals are turning to
9 managing surface water resources programs on a
10 watershed basis because it makes good sense
11 environmentally, financially, and socially. Managing
12 on a watershed basis will be an integral component of
13 Louisiana's water management process. Because
14 watersheds are defined by natural hydrology, they
15 represent the most logical basis for managing surface
16 water resources. The resource becomes a focal point,
17 and managers are able to gain more complete
18 understanding of overall conditions in an area and the
19 stresses that affect those conditions. By managing on
20 a watershed basis and by placing emphasis on
21 interaction between consultants and members of the
22 local water planning groups, the voice of all
23 stakeholders are heard and the needs of one watershed
24 are not overshadowed by those of another. By crafting
25 the water management plan on a watershed basis, the
26 state of Louisiana can focus its resources on policies
27 tailored to address water quality and quantity
28 problems at their source.

29 Watershed management can also lead to a greater
30 awareness and support from the public. Once

1 individuals become aware of and interested in our
2 watersheds, they often become more involved in the
3 decision-making, as well as hands-on protection and
4 restoration efforts. Thus, through such involvement
5 the watershed management approach builds a sense of
6 community, helps reduce conflicts, increases
7 commitment to the actions necessary to meet the
8 environmental goals, and ultimately improves the
9 likelihood of success for water management programs.

10 As you can see on the watershed slide, a number
11 of Louisiana's watersheds stretch across state lines.
12 Inter-jurisdictional relationships and agreements will
13 become necessary when two or more states, governmental
14 agencies, commissions, or districts overlap or coexist
15 within a single, transboundary aquifer or watershed
16 finance. In order to effectively manage these types
17 of aquifers and watersheds, the governing bodies must
18 communicate and cooperate with each other to obtain a
19 common goal within a formal legal structure. Inter-
20 jurisdictional or inter-regional and interstate
21 compacts may be necessary to achieve this goal. The
22 project team will examine and recommend functional
23 inter-jurisdictional structures, such as compacts and
24 memorandum agreement.

25 GIS source slide. The project team will use GIS
26 as a tool to help develop a comprehensive water
27 management program. We will separate into data layers
28 the different information from different agencies
29 shown on the screen. Data layers might include major
30 and minor aquifers, aquifer recharge areas, surface

1 water, watersheds, and political boundaries. Although
2 these data is available right now, a lot of this data
3 is available, it's in incompatible databases. It's in
4 incompatible formats. Different engines are used to
5 present this data, and our task is to see what we can
6 do about feasibly managing these and incorporating
7 these into one model.

8 The website is an effective means of making
9 information available to all who are involved in the
10 planning process, and we plan to maintain a website
11 for public information distribution for input on the
12 emergency and contingency plans and for water
13 conservation education. And we'll have a comment page
14 available for the input from the users.

15 Brent Sonnier now will present legal issues
16 associated with the comprehensive management plan.

17 MR. SONNIER:

18 Thank you, Brad. There are basically six areas
19 of legal issues that we have identified. First, basic
20 legal background. The constitutional authority is
21 there. The Commissioner of Conservation protects the
22 oil and gas resources. The state has, of course, the
23 right to protect its groundwater resources. A lot of
24 the structure that is already in place at the Office
25 of Conservation can be used for groundwater
26 management.

27 Other areas, inter-jurisdictional issues.
28 Because we will be trying to use the option of surface
29 water, we will intersect with federal jurisdiction.
30 There could be problems in dealing with alternative

1 siting from that standpoint. Regulatory structure,
2 it's premature to tell. We'll let the plan dictate
3 and demand for regulation about how we're going to put
4 together the structure, perhaps in DNR as far as
5 manpower and resources.

6 Specific legal issues. We identified six of
7 those including delineation of the critical
8 groundwater management areas and how to regulate
9 within those areas. Development of regulations. The
10 plan will dictate how the regulations look, sound
11 science built into the regulations.

12 Civil law perspective. We are a civil law
13 jurisdiction, not common law. We can't take a plan
14 off the shelf from another state without considering
15 this. I will emphasize the triggering of jurisdiction
16 is critical groundwater management. We don't want
17 over regulation. We want a structured program within
18 that context. Thank you. I'll let Brad conclude.

19 MR. HAMILTON:

20 Thank you. We are -- let me give you some
21 reasons why we feel like you should select
22 Fenstermaker as your proposal team. We are a
23 professional, highly qualified local team with
24 substantial statewide experience. In addition, we are
25 stakeholders planning for our children's and
26 grandchildren's future in Louisiana. All team members
27 will work and reside in Louisiana and will be
28 available to start work on the project immediately.
29 The water management plan will be built on existing
30 data and analyzed on an aquifer and watershed basis.

1 We'll identify inter-jurisdictional relationships and
2 areas where additional data needs to be collected.
3 Heavy emphasis will be placed on interaction with the
4 Commission, task force members, government agencies,
5 and stakeholders. Within the plan the team will
6 identify legal issues and offer guidance on the
7 regulatory matters. The project team will provide
8 additional services beyond the scope requested in the
9 proposal by development of a GIS system to serve as a
10 management tool by reviewing water management plans
11 from other states, and by creating and maintaining a
12 water -- a project website.

13 That concludes our technical presentation. Once
14 again I'd like to thank the Commission for allowing us
15 to present our qualifications. The Fenstermaker team
16 looks forward to being selected to develop the
17 Louisiana Comprehensive Water Management Plan. I
18 guess we're open for questions. Anyone have any
19 questions?

20 COMMISSIONER GAUTREAUX:

21 Again, I'd just like to remind everyone that it's
22 only questions from the selection team or selection
23 committee.

24 COMMISSIONER GIVENS:

25 Brad, one of the questions that I had in looking
26 over the documents, and you have to understand that
27 you somewhat have to show familiarity with the systems
28 that exist today in the state to establish your
29 working base, but one of the things that bothered me,
30 and I'd like y'all to respond to, is, how married are

1 you to the approaches that you outlined in the
2 proposal with respect to, say, Texas' structure, or
3 who would do things, as opposed to -- and there was
4 discussion there about regional activities, and, of
5 course, we're looking for a state plan. How do you
6 plan to adapt and go with that?

7 MR. HAMILTON:

8 Bruce, do you want to handle that?

9 DR. DARLING:

10 We're not married to any particular view here.
11 What we would like to do would be to get you to look
12 carefully at the need to address the water resource
13 issues on a region-by-region basis within Louisiana,
14 and then to compile those into a working plan that
15 makes sense for Louisiana. It is, for example, I
16 think difficult to take the same water management
17 approaches to the Sparta aquifer that you would find
18 over the Chicot aquifer. So when you look at the
19 issues in northeast Louisiana, you will find that they
20 are somewhat different from the issues in southwest
21 Louisiana.

22 We're not trying to push a Texas model or a
23 Florida model. Actually, what we're trying to do here
24 is look around at the different approaches to water
25 planning from the states that we mentioned in the
26 water plan, in the proposal, and also other states
27 that we didn't mention in there to come up with
28 something that is best for Louisiana. Again, as I
29 said, you can't just take something off the shelf from
30 one state and apply it here. But what we do need to

1 do is look specifically at those elements of plans in
2 different states that might be applicable here to
3 Louisiana to give you a flexible dynamic plan that
4 Louisiana can live with for decades to come.

5 COMMISSIONER GIVENS:

6 Thank you.

7 MR. DEMAS:

8 We have a question. What specific suite of GIS
9 software are you going to use, and is it compatible
10 with the state's?

11 MR. HAMILTON:

12 We will -- we are -- we are currently available
13 to use it in ArcInfo, Infocad, Micro-station, any
14 system that the state would like to see it in, we will
15 present it in, we will generate it in, and make sure
16 that when we go and look at the various databases
17 around the state we know how to convert that data into
18 whatever you use. I believe at one -- at the
19 preproposal meeting Mike Killeen mentioned that you
20 guys would like ArcView and ArcInfo, and that's fine
21 with us, we operate on that platform also. So we
22 would do it obviously in whatever input you would like
23 to see it in.

24 COMMISSIONER GAUTREAUX:

25 Charlie, do you have another question?

26 MR. DEMAS:

27 Yes. How are you going to tie together the
28 surface water and the ground water when you're dealing
29 with watersheds that may be only -- might overlap two
30 or three aquifers or an aquifer that contains several

1 watersheds?

2 MR. HAMILTON:

3 I'm going to start briefly answering that
4 question, and then I'm going to let Bruce, in case I
5 didn't cover the important issues. Number one, it's
6 important to know where you're going to have issues,
7 surface water and groundwater issues, and that is only
8 done through identifying the critical groundwater
9 areas. Once those are identified we plan to use the
10 GIS to overlay the different watersheds on top of that
11 to identify where we might potentially have a source
12 of surface water to augment the ground water. Once
13 you overlay those you'll have a clear picture of where
14 you are, what you have. You can look into that model
15 then and determine, well, we have sources of surface
16 water here and here, we don't have them over here.
17 And then after that you have to look at what is the
18 availability of that surface water. Is this a water
19 body that's regulated by the Corps of Engineers or
20 somebody that's not going to allow you to do anything?
21 How much water use can we use of it? What is the
22 water quality, and everything else.

23 So the integration will become necessary where
24 you have ground water, critical groundwater areas, and
25 we don't envision any legislature or any regulation of
26 areas that don't have critical groundwater areas, and
27 then we will use the GIS to analyze it and determine
28 what we can do, what's there, what's available, and
29 what we might do with it.

30 DR. DARLING:

1 One other point. This also becomes very
2 important when you're looking at surface water/ground
3 water interaction areas and recharge, recharge zones
4 within your major aquifers. And as Brad also points
5 out there may also be some inter-jurisdiction issues
6 involved in there. But in the work that I've been
7 involved in before this we've been especially
8 interested in the ground water/surface water
9 interaction in those recharge areas. And as you look
10 at the watersheds in Louisiana you can see that there
11 are a number of smaller watersheds that do overlap
12 many of the recharge areas of your major aquifers.
13 And so that then gets back into the management issues
14 that come to fore when you're looking at managing your
15 surface water sources here that are feeding the
16 aquifers up in the recharge areas of your major
17 aquifers and your minor aquifers.

18 So part of what this will allow us to do is to
19 try to get a much better idea to delineate more
20 clearly which watersheds are involved in this, and
21 what are the inter-jurisdictional and other technical
22 issues that might be limiting factors in how something
23 could be managed or exploited.

24 MR. DEMAS:

25 That will include in-stream flow requirements and
26 the ecological --

27 DR. DARLING:

28 At a minimum, yes, yes, certainly.

29 COMMISSIONER GAUTREAUX:

30 Dale?

1 COMMISSIONER GIVENS:

2 Brad, in your proposal, in your presentation, and
3 in response to Charlie you talked quite a bit about
4 GIS. Are you planning on producing both maps and a
5 database that we can pull up on that situation, or how
6 are you planning on organizing all this massive data
7 collection?

8 MR. HAMILTON:

9 That's kind of a two-part question. The answer
10 is yes and no. We plan to generate a GIS database of
11 the state's resources with respect to groundwater
12 aquifers, with respect to watershed areas, with
13 respect to jurisdictional, political, and governmental
14 bodies, and we will use that as a management tool, and
15 we will be able to turn that over to the state at the
16 end of the conclusion for them to manage with.

17 What we also plan to do then is go out and canvas
18 NOAA and everybody else and see what they are using
19 with respect to GIS and how they are creating their
20 database. We do not plan to marry all of that data
21 together. Number one, it defeats the purpose of
22 trying to collect it. As soon as you duplicate data,
23 then one of them is out of date automatically and it's
24 just a wasted effort. But we will identify in the
25 plan what databases exist out there and what format
26 they're in, and who's the point of contact and what
27 platform they run on, and we will begin to create what
28 you need to do to -- if you had to export or import
29 data between them. But we're not going to make a
30 massive statewide database of every bit of information

1 out there. That just wouldn't work. It would be
2 trying to take the Corps of Engineers and NOAA and
3 NASA and everybody else and duplicating the effort.
4 And as soon as you said, okay, I've got it, they're
5 going to have collected more data over here and you're
6 out of date. So you know very well that you don't
7 want to have two copies of any set of data if you can
8 help it.

9 Our management tool will be the data layers that
10 we need to manage to determine critical areas, to
11 determine interaction, inter-jurisdictional areas, but
12 we will not try to manage the whole universe of data
13 that's available out there.

14 COMMISSIONER GIVENS:

15 So you're talking more of an index?

16 MR. HAMILTON:

17 An index for the massive amount of data out
18 there, but a GIS database with aquifers and recharge
19 areas and watersheds and political boundaries on it.
20 That will be a live operating unit.

21 COMMISSIONER GIVENS:

22 So you could turn off various aspects of the
23 coverage?

24 MR. HAMILTON:

25 Yes. That's what we're going to use to help
26 identify and manage the things. But it won't have
27 detailed information about water quality, salinity,
28 and those kinds of things.

29 COMMISSIONER GIVENS:

30 I understand. The contract really doesn't have

1 enough hours or dollars to even attempt to do that.

2 Thank you.

3 COMMISSIONER GAUTREAUX:

4 Bo?

5 COMMISSIONER BOLOURCHI:

6 The proposal and your presentation referred to
7 the states of Florida, Texas, and Arkansas. My
8 question is, did your company or anyone involved, or
9 any of your professionals were actually involved in
10 designing that system? And I have a follow-up
11 question after that.

12 DR. DARLING:

13 LBG-Guyton was very deeply involved in the
14 development of the Texas water plan. There were 16
15 regions in the state of Texas. My office was the
16 prime contractor for two of those regions, and we were
17 a subcontractor in six other regions, regions
18 stretching from east Texas to west Texas. So we were
19 very much involved in the development of the Texas
20 water plan.

21 We were not involved in the development of the
22 Florida water plan. The Florida water plan was
23 developed by the groundwater districts set up in
24 Florida, and the plans were designed to meet the
25 planning objectives as stated by the Florida
26 Department of Environmental Protection.

27 We were not involved with the development of the
28 Arkansas plan, but our Tampa office was involved with
29 the development in a limited way with the plan in
30 Mississippi. We didn't mention the Mississippi plan,

1 but the Mississippi plan is a somewhat weaker plan
2 than even the Arkansas. So we've had substantial
3 experience with the development of the Texas plan, and
4 additionally, in addition in our office in Austin
5 there are five of us who have been involved in water
6 planning to one degree or another during the
7 accumulated -- the accumulation of nearly 70 years of
8 experience developing water plans for different
9 regions in Texas, and we're certainly looking forward
10 to the opportunity to try to do what we can here to
11 help you develop a water plan in Louisiana.

12 COMMISSIONER BOLOURCHI:

13 The discussion of the Texas plan was impressive.
14 You stated, or whoever wrote the proposal stated that
15 the most appropriate elements from these plans could
16 be incorporated into Louisiana's comprehensive water
17 management plan. My question is, what elements of
18 these plans do you foresee being unique to the state
19 of Louisiana's needs?

20 DR. DARLING:

21 Well, I think that what you might find very
22 helpful in Louisiana is the interplay, and this is
23 what I liked a lot about the Texas process, not
24 necessarily the final plan because we lacked the
25 regulatory structure to make this thing -- to push
26 this thing through the way I think it ought to be.
27 But we found that the interaction between the
28 consultants and the members of the water planning
29 group helped frame many of the issues clearly up
30 front, and also helped to resolve many contentious

1 issues between warring factions on the same water
2 planning group.

3 It's very important at a time like this to get
4 people to talk to each other, and one of the most
5 important things that the consultant can do here, the
6 water planner can do, is to sit down with people and
7 explain things, complicated technical issues in very
8 clear terms, and to look at the implications of these
9 issues, and of the implications of failure to come to
10 some consensus about how to handle these issues so
11 that you can get people to sign off, you'll have some
12 degree of consensus.

13 So I think the most important thing here to come
14 from the Texas plan is from the process, the planning
15 process itself, and that is the give and take between
16 the consultants and between the members of the
17 Commission, the members of the Task Force, and also to
18 get the members of the Task Force and the Commission
19 to talk with each other because you'll find that you
20 have people here who have competing interests. And
21 often -- I've found, I've found that over a period of
22 time as people talked with each, oftentimes they found
23 out there was common ground, whereas at the beginning
24 there was a reluctance to admit that both sides did
25 have a legitimate claim in an issue. Over a period of
26 time as these technical issues became clearer to them,
27 as we looked at the policy implications, the economic
28 implications of this, there was a willingness to work
29 together, and I think that that's really what we need
30 to strive for here out of the Texas plan.

1 COMMISSIONER GAUTREAUX:

2 Jim, you had a question?

3 MR. MARCHAND:

4 A few quick questions. Where were the two
5 regions that your company handled in Texas, west Texas
6 and --

7 DR. DARLING:

8 The two that we primed were out of far west
9 Texas, which was the most contentious region we had to
10 deal with in the entire state of Texas, and then we
11 dealt with what was called a plateau region. Then we
12 were also very deeply involved as the groundwater
13 consultant for the southern Ogallala aquifer, which as
14 you know is a major, major aquifer in Texas. And we
15 were also involved in all the major aquifers along the
16 Texas-Louisiana border. So we were looking at
17 groundwater issues in far west Texas and far east
18 Texas. Those that we primed were in far west Texas.
19 We were very deeply involved in many of the others,
20 however. So even though we were sub in the others, we
21 were sub to the extent that we're subbing here to
22 Fenstermaker.

23 MR. MARCHAND:

24 And this is somewhat what Bo was asking, I think.
25 You talk about weaker plans and stronger plans. What
26 are the factors that delineate the two type of plans?
27 You talk about Texas being weaker and --

28 DR. DARLING:

29 The issue is -- the point at issue here is the
30 fact that the state of Florida has assigned the

1 responsibility to develop this to a regulatory agency
2 which has the clout to say, thou shalt do this. And
3 if you don't do it, these are the penalties involved
4 in that. On the weak side you have the state of Texas
5 which has a long history of not wanting to regulate
6 the use of ground water. Texas and Louisiana have
7 both followed what we would call the rule of capture
8 doctrine. So those -- that's ingrained very deeply in
9 the culture and in the political culture of Texas,
10 just as it's ingrained over here in Louisiana as well.

11 Now, the responsibility for overseeing the
12 development of the water plan in Texas was not handed
13 to a regulatory agency, such as the Texas Natural
14 Resource Conservation Commission. It was given
15 instead to an agency that has historically been
16 charged with the responsibility of studying the
17 groundwater resources in the state of Texas. So it
18 cannot say, the TWDB cannot say as FDEP does or can,
19 thou shalt do this. What it does have in Texas is
20 significant economic clout because the Texas Water
21 Development Board funds millions and millions and
22 millions of dollars a year in water development
23 projects. And part of the hammer of Senate Bill 1,
24 which is the legislation in Texas, stated specifically
25 that communities or regions that chose not to
26 participate in the water planning process, or that did
27 but failed to identify strategies to meet projected
28 shortages and needs down the road would not then be
29 able to come back to the Texas Water Development Board
30 and ask for funding for those projects.

1 COMMISSIONER GAUTREAUX:

2 Thank you. I guess we'll ask you to pick up your
3 materials. Go ahead and pick up your materials and
4 we'll get the next group in.

5 COMMISSIONER GAUTREAUX:

6 While we have a pause, I'd like to recognize two
7 of our legislatures that I see in the audience,
8 Representative N.J. D'Amico, who was very instrumental
9 in getting the legislation that created our
10 Commission, Task Force, and a number of other things
11 passed. And I see we have a new member of the
12 legislature, Mr. Gary Beard, here. So welcome. We
13 look forward to your helping us with this issue.
14 Would you like to say anything since we have a little
15 pause?

16 (No response.)

17 COMMISSIONER ASPRODITES:

18 You're going to turn down the chance to say
19 something?

20 COMMISSIONER GAUTREAUX:

21 I was going to say, this is very strange.

22 (A BRIEF RECESS WAS TAKEN AT THIS TIME.)

23 COMMISSIONER GAUTREAUX:

24 Let's get started.

25 MR. PRICE:

26 Good afternoon. My name is David Price. I'm
27 CH2M Hill's manager for Louisiana operations out of
28 New Orleans. First of all I'd like to thank you for
29 the opportunity to present here today. We're very
30 excited about this opportunity, and we hope we can

1 share some information with y'all today and move this
2 program forward.

3 When we started looking at this project earlier
4 this year, one of the first things we recognized was a
5 need for a solid team, a team that could bring both
6 local and national expertise to this problem. We
7 believe that we have found that team, and we're going
8 to present that team to you today.

9 What we have done is developed a team with CH2M
10 Hill. CH2M Hill is an international firm, really with
11 roots in western United States. We have been in
12 Louisiana for about ten years now, but we've got
13 significant resources in water resources and water
14 resources planning. And we have brought that team
15 together along with C-K Associates, an environmental
16 firm here from Baton Rouge, and also a legal firm from
17 out west called Hatch and Parent. I would like to
18 introduce the people here today representing our team.

19 First of all, from CH2M Hill we have Bryan
20 McDonald, who is a senior groundwater hydrologist;
21 Jeff Lehnen, a senior water resources hydrologist; and
22 Brad Inman who is a senior water resource's
23 hydrologist and also our proposed project manager.
24 From C-K Associates we have Dan Strecker, Dan is
25 President of C-K; as well as Lee Day, senior
26 geologist.

27 As I said, we're very excited about this project.
28 We know that there are a lot of challenges to it. We
29 have seen them from the first day we saw the proposed
30 scope of work, and then the request for proposal. But

1 we believe our team is up to this challenge. We are
2 very excited, and we look forward to working with you
3 if selected. You can be assured that CH2M Hill, C-K,
4 and Hatch and Parent are committed to providing all
5 the resources necessary to make this a successful
6 project.

7 I would like to move into our presentation with
8 Brad Inman, our proposed project manager. Thank you.
9 MR. INMAN:

10 Thank you, David. Again, my name is Brad Inman.
11 I work out of our New Orleans office, and I currently
12 reside in the New Orleans area. I think as we looked
13 at this project, and being a project manager I would
14 like to highlight a few of the activities that I've
15 had during my career that I think would become
16 important to this project. As I look back and look at
17 my time as a vocational agriculture teacher in St.
18 Mary Parish, Louisiana, I think that the experiences
19 I've had working with farmers, some of the key
20 stakeholders, realizing the importance that water has
21 and the impact that it can make on these farmers,
22 their livelihood, the economics is very important. I
23 look at technical background, and the background that
24 I have working on western projects, water resources
25 projects in the arid west. I've worked on irrigation
26 development projects in the Sahara Desert in southern
27 Egypt, and where you truly get an appreciation for the
28 value of water and water resources is when you truly
29 have no water.

30 Finally, a big part of this project is looking at

1 policy, the development of policy, and I believe that
2 the experience I've had working as a congressional
3 science fellow in Washington D.C. for a United States
4 senator, and following up that year as a lobbyist for
5 our firm in trying to help pass the reauthorization
6 for the Safe Drinking Water Act, which did pass, is
7 very important, and it provides me with a lot of
8 relevant background that's going to be very good for
9 our team members as we move ahead and look towards a
10 commonsense, realistic approach to developing a
11 comprehensive water management plan here in the state
12 of Louisiana.

13 As we look at our project approach we realized
14 several things from day one, that water resources
15 management is certainly one of the most critical
16 issues facing the state of Louisiana, that these
17 resources must be safeguarded based on sound science,
18 that all of the stakeholders that we have in the state
19 must be represented, and certainly timing is crucial.
20 The fact that we have a very short time frame is
21 something that we have looked at from day one, and we
22 have tried to develop our team around the fact that
23 we're going to have to act quickly and efficiently to
24 make this project a success. The CH2M Hill team
25 approach is going to combine the local knowledge that
26 we have here in Louisiana also with national
27 expertise.

28 As we look ahead on a project approach on Part 1,
29 key components of Part 1 certainly is the development
30 of a comprehensive compilation and evaluation of all

1 the water resources in the state of Louisiana.
2 Additionally, Part 1 needs to focus on a thorough
3 assessment of aquifer's sustainability, particularly
4 the critical aquifers in the state, and also needs to
5 fully develop and look at the framework of developing
6 a critical groundwater area, and developing that
7 framework for the concept. Also it needs to look at
8 an assessment of water use opportunities. I think as
9 an example of some of the opportunities that I've had
10 the chance to work on, for instance, at Walt Disney
11 World in Orlando, Florida, where even though they were
12 known for trying to do the right thing, specifically
13 they were pushed with incentives to get off of ground
14 water and to use other water resources to help
15 irrigate their golf courses, landscape, and other
16 water uses. So there are tremendous opportunities out
17 there that we are experienced in and that we can bring
18 to bare as this project is developed.

19 Successful implementation is going to require
20 many things. For Part 1 we're going to have to
21 maximize our local resources, our knowledge, our
22 relationships to ensure that the evaluation of
23 Louisiana water resources is performed effectively and
24 efficiently, again, going back to timing being a
25 critical issue. We have to apply the experience that
26 we have gained from developing alternative water use
27 options around the nation and globally. One thing
28 when you hire the CH2M Hill team you are hiring
29 expertise from around the world.

30 Also the use of our firm's experience

1 professionally and expertise will ensure that the Part
2 1 results will withstand public scrutiny. It's vital
3 that the data gathering process is based on
4 appropriate standards, and with that that it must be
5 able to develop, to be able to handle public scrutiny
6 as it goes on and moves ahead towards the development
7 of law.

8 Successful project implementation of Part 2 again
9 will require several different tasks. We're going to
10 have to maximize the use of our team's water
11 resources, our experience with other regulatory
12 agencies. The fact that we have worked in states all
13 around the southeast and nationwide has allowed us to
14 develop relationships working with different types of
15 regulatory agencies while representing different
16 municipalities, utilities, and other groups. It's
17 going to have to have close coordination with all
18 stakeholder groups for this to be a success. It's
19 going to have to be a well-managed multidisciplinary
20 team approach.

21 Having worked with CH2M Hill we have management
22 type of opportunities where we work specifically with
23 multi-discipline groups in this project. We propose
24 to use engineers, scientists, economists,
25 hydrogeologists, geologists, all those multi-
26 disciplines are going to be coming together, and we
27 have the tools to be able to manage and to use those
28 in an effective package.

29 Additionally, there might be the need for
30 technical input after the comprehensive plan is

1 developed, and as it moves ahead into legislation
2 there might be questions where we might be asked and
3 would gladly give advice and technical input on a
4 legislative package development.

5 As we look at the team and the team organization,
6 a project manager or a coach is only as good as the
7 team that they have available to work with them. As
8 you look at the team and the team that we have on
9 these work charts, the people that we have presenting
10 here today, Bryan, Jeff, also Lee with C-K, all of
11 these people are going to be working on the project as
12 vital team members. As you look on this organization
13 chart and the Part 2 chart, we have over 300 years of
14 water resources experience with these individuals
15 based on projects around the country and across the
16 world.

17 As you look at the structure, myself as listed as
18 project manager, I will be the point of contact. When
19 you have questions or have issues, you can contact me,
20 and I will be able to effectively move the project
21 ahead, answer your questions, and be able to get with
22 our team members so we move the project efficiently
23 down the path to success. Also on the right, I
24 realize this chart is a little bit hard to see, but we
25 have senior consultants and experts, such as Terry
26 Foreman, who is our firm-wide technical expert in
27 ground water. He's available that I can talk with as
28 needed on different issues. And Eric Rothstein, an
29 economist who has spent his career working on
30 projects, developing public and private partnerships,

1 looking at projects where ground water and surface
2 water are traded. He brings a vast experience that is
3 relevant to the southeast, and, again, he's available
4 for use as a senior technical consultant.

5 When we look at the critical issues in
6 implementing and coming up with this project,
7 certainly timing, in our mind, is number one. Act
8 446, as you well know, requires a comprehensive water
9 management plan to be presented by the 2003
10 Legislative Session. With that time frame involved we
11 only have about 12 to 14 months to make this a
12 reality. We have developed a team with expertise with
13 a background that allows the efficient implementation
14 of our approach, and it can move us ahead to meet
15 these pretty strict time requirements.

16 Also, solutions to resource issues will require
17 significant stakeholder input. It's going to require
18 their endorsement and commitment. Finally, to coin a
19 term that's used by some of our other coastal wetland
20 restoration friends, there is no time to lose when
21 looking at this project. We're going to have to move
22 ahead quickly to make it a reality.

23 When looking at critical groundwater areas and
24 the prediction of them, there are several issues that
25 are very important. One, we have to sustain the
26 availability of water for all users, current and
27 future. Any decisions made must be based on sound
28 science and be credible. We have to base them on
29 proven management practices. We have to be able to
30 provide a balance between economic impact on those

1 stakeholders, and also the protection of the resource
2 for the future. That's why we have included
3 economists on our team to be able to look at the
4 economic impacts, and to be able to determine if
5 something is economically feasible versus the cost of
6 the protection. Finally, it certainly must be legally
7 defensible. Any plan that moves ahead will likely be
8 challenged, and something has to be in place that is
9 legally defensible. It's important that we must
10 strike a balance between conservation and managing
11 economic growth. Any successful plan will have to
12 strike that balance.

13 Now, I briefly went over some of the critical
14 issues and some of the things that are needed for
15 successful implementation, but now we want to go
16 briefly into the specific solutions for Part 1 and
17 Part 2. First up, Bryan McDonald, a senior
18 groundwater hydrologist that I've had the pleasure to
19 work with for about 10 years, originally came from
20 USGS, so he has a good experience working with some of
21 these key agencies that we discussed. Bryan?

22 MR. MCDONALD:

23 Thank you, Brad, and thanks for the opportunity
24 to be here today. As Brad mentioned I want to talk a
25 little bit about Part 2, Part 1, and what our approach
26 is, and what we feel like are some of the key issues
27 associated with that.

28 One of the first things is, we want to closely
29 coordinate Parts 1 and 2. We realize that we'll be
30 working on Part 1 initially, but feel that it's

1 important to involve the key members in Part 2 and
2 involve them in the Part 1 process, so we minimize the
3 impact of the schedule between those two, and also can
4 get started on Part 2 as soon as possible. One of the
5 first things we want to do when we start Part 1 is to
6 review the schedule options and the opportunities. We
7 think there's a real potential to revise the Plan 1
8 scope and reduce the schedule to allow an early start
9 to Part 2. It's a pretty tight schedule, we
10 understand that, but we also think one of the first
11 things we'd like to do is take a real hard look at it
12 and see what we can do to get started on Part 2 as
13 soon as possible.

14 One of the other solutions for a successful
15 project we feel is we want to implement a team
16 approach with the supporting agencies. USGS, LGS, DNR
17 are important agencies that we're going to need to
18 rely on for data from them. C-K and CH2M Hill have a
19 good working relationship with these agencies and have
20 through the years. That also includes Capital Region
21 and Sparta, some of the local groups that also will
22 play an important role. We have a good relationship
23 with them, and we feel like we can be successful in
24 acquiring data from them.

25 Another key solution is a rapid identification of
26 data gaps to allow for the alternative approaches
27 where applicable. CH2M Hill has a lot of experience
28 in the southeastern United States and nationwide, and
29 we feel like that's important to be able to identify
30 those data gaps as early as possible and, again, to

1 help with the schedule. For example, one of the first
2 things we'd like to look at is water budgets.
3 Obviously, if you're looking at sustainability for
4 aquifers you need to know how much water is being
5 discharged and how much is being recharged and to get
6 a good handle on that, and to understand the water
7 budgets is one of the first key issues.

8 One of the other solutions and issues we want to
9 look at is use and knowledge of the state groundwater
10 condition and our experience in other states to define
11 the critical groundwater area criteria. What we're
12 trying to say there is, define the criteria that
13 defines what a critical groundwater area is. Areas
14 that are being over pumped or other groundwater
15 conditions, you have to apply certain criteria to be
16 able to understand, is it really a critical area or
17 not. We've been through the process before, and we've
18 used those criteria before, and we feel like that
19 would help and have some application here in
20 Louisiana.

21 So as kind of a summary of Part 1, our approach
22 is to emphasize solution-oriented actions that address
23 the critical issues of Part 1.

24 We have Jeff Lehnert with us here today that would
25 like to talk to you a little bit about Part 2. He's a
26 senior water resources hydrologist for us, and he's
27 going to talk about Part 2 for a little bit. Thank
28 you.

29 MR. LEHNERT:

30 Thank you, Bryan. In Part 2 I'll give you some

1 ideas that we have to look at alternatives that you
2 may want to consider to replace groundwater resources,
3 demands on groundwater resources. And probably the
4 key thing we can bring to you is our experience with
5 other states. We can bring the solutions that other
6 states have developed over the years, so that we bring
7 the best of the best for your consideration. So we're
8 not starting from ground zero with the ideas and
9 legislation. That will allow you to develop plans to
10 allow effective management of surface and groundwater
11 resources just as we have successfully helped the
12 state of Florida.

13 We believe the legal issues are going to be very
14 important and will require full development throughout
15 the project, and that's why our team includes
16 experienced water law attorney to apply that expertise
17 to the development of the policy. We believe it is
18 critical for early stakeholder input into the process,
19 so as Bryan said, we would want to consider looking at
20 starting some of the Part 2 project activities early
21 on.

22 We come to the table to facilitate the
23 incorporation of the stakeholder expectations right at
24 the beginning with our expertise in public
25 involvement, as well as decision science technology.
26 We're prepared to follow through to the end point,
27 whatever that is, to transform the plan into
28 legislation with our team. We can draw from expertise
29 from around our firm to take you to the end point.
30 And we can bring the evaluation of alternative

1 technologies where you really have to come up with
2 solutions to replace groundwater needs. Some of those
3 ideas include surface water management strategies,
4 surface water use instead of ground water, storm water
5 management strategies, reclaim water reuse, aquifer
6 storage and recovery, and conservation. We can look
7 at all those alternatives to look at ways to reduce
8 demands.

9 In short we believe we can successfully deliver
10 Part 2 by integrating policy considerations, technical
11 expertise, and stakeholder needs into a comprehensive
12 water management plan for the state. Thank you.

13 Brad?

14 MR. INMAN:

15 Just in brief we'd like to summarize. We've had
16 to cover many points in a quick manner, but I think
17 number one, we understand the importance and the
18 urgency of this project. Time is of an issue, and we
19 have a schedule set up to address that. Our technical
20 approach will address the needs, the critical water
21 needs for the state of Louisiana, and also that our
22 local experience and nationwide expertise will bring
23 to bare the development of a successful comprehensive
24 water management plan for the state of Louisiana.

25 I'd like to thank you for your attention. I
26 think we have some time for questions.

27 COMMISSIONER GAUTREAUX:

28 Do any of our selection committee members have
29 questions? Dale?

30 COMMISSIONER GIVENS:

1 I'm going to ask you one of the same questions we
2 asked the first group that was in here. With respect
3 to data gathering, which is a significant part of Task
4 1, how do you propose to organize that data and
5 present it to the Commission?

6 MR. INMAN:

7 In our technical approach we discussed the fact
8 that we're going to develop a series of technical
9 memorandums. The first one will be addressing the
10 first one on developing data needs. The next two
11 bulleted items under Part 1 will be in a technical
12 memorandum. Those will be submitted to the
13 Commission. And then the last two, again, a technical
14 memorandum to the Commission trying to meet time
15 frames. We would like to get their responses back and
16 be able to use that information to put it into a final
17 document for your perusal and review.

18 COMMISSIONER GIVENS:

19 Well, if you would, how about define or give me
20 an example of a technical memorandum. Are we talking
21 about something a couple of three pages, or are we
22 talking about volumes?

23 MR. INMAN:

24 I don't know if we exactly know how much data is
25 out there in Louisiana, but we've said that we're
26 going to provide a comprehensive compilation. So I
27 suspect that it's got to be a fairly sizable document
28 considering the amount of data that's out there. I
29 don't know if Bryan or Jeff, you might have some
30 additional ideas.

1 MR. MCDONALD:

2 I'm not sure about number of pages, but I would
3 say that initially when we're looking at evaluating
4 the water resources and the groundwater resources in
5 the state that we would certainly need to address the
6 data that we've gathered from the different agencies
7 and have that included in the tech memo. And
8 typically we may have executive summary, a synopsis of
9 the data, and then have what data we've collected as
10 an appendices to those tech memos. The idea is to get
11 information to you as soon as possible, not wait until
12 the very end of Part 1 and present one report. It's
13 to have a summary of the first task in Part 1 in a
14 tech memo, and then the next two tasks would be in
15 another tech memo, and then the final two tasks would
16 be in a third tech memo.

17 COMMISSIONER GIVENS:

18 I'm really concerned that you're dwelling a lot
19 about wanting to jump to Task 2, and the only thing
20 that we have dollars for in this proposal contract for
21 is Task 1. So I'm concerned about the quality and
22 what we're going to get for Task 1.

23 MR. MCDONALD:

24 Yes, I realize we talked about Part 2 quite a
25 bit. We really didn't mean to infer that we were
26 going to move ahead before, obviously, it was
27 approved. We have a plan for Part 1, and we would
28 want to address those issues and will address those
29 issues in Part 1. You may be able to add a little
30 more to that.

1 MR. INMAN:

2 I think one of our bullets said that the data
3 that we gather has to be able to withstand public
4 scrutiny in Part 1, and certainly it's up in the air
5 whether Part 2 will ever happen or not, but the RFP
6 asked us to address the ideas that we had in
7 development of the policy, and that's the approach
8 that we took.

9 MR. STRECKER:

10 David Strecker. I'd like to add to that. We
11 have extensive data management capabilities at C-K,
12 including GIS capabilities. We're going to look to
13 that to see if there is a reasonable application based
14 on the data. We first want to see the extent of the
15 compilation or summarization to see if that is a
16 legitimate tool. But we certainly have those
17 capabilities.

18 COMMISSIONER GAUTREAUX:

19 Bo?

20 COMMISSIONER BOLOURCHI:

21 In your presentation you referred to criterias
22 that you plan to use in defining the critical
23 groundwater areas. My question is, what are those
24 criterias? Can you get us some examples?

25 MR. INMAN:

26 Jeff could better be able to answer that
27 question.

28 MR. LEHNEN:

29 Yes, the criteria, you have to have some
30 defensible criteria when you establish a critical

1 area. There has to be some technical basis for
2 establishing that area. And in other cases we've
3 looked at minimum flows and levels, minimum flows and
4 levels in surface water bodies, lakes, streams,
5 rivers, as well as minimum levels in groundwater
6 systems. And those are typically based on extensive
7 modeling, surface water/ground water modeling, some
8 sort of technical basis to establish what is the
9 minimum level that that resource can tolerate before
10 some established damage or detrimental impact occurs;
11 either impact on other users, impact on ecological
12 systems, impact on downstream users of the same
13 surface water. And so really when you go into this
14 with a criteria, you have to have something that you
15 can point to to support the justification that that's
16 a critical area. And typically those are the
17 numerical modeling tools that are used, depending on
18 the media, surface water/ground water, as well as,
19 obviously, stakeholder input and really the condition
20 of the resource today.

21 If there's an area that's severely impacted
22 today, it may be already critical, and it may be below
23 critical levels, and you may have to try to look at
24 backing it up, backing up in time and reducing the
25 stresses on that aquifer so that those groundwater
26 levels can recover. That may be one of the
27 alternatives you have to look at.

28 COMMISSIONER GAUTREAUX:

29 Dale, do you have another question?

30 COMMISSIONER GIVENS:

1 Since you've talked so much about phase 2, how
2 about tell us a little bit about what approaches you
3 see since URS you said has been in the state for 10
4 years, and C-K originated here. Tell us a little bit
5 about what you see as opposed to other states as to
6 how that would apply here, and what recommended
7 approach you would see initially, so you'd have to
8 have some direction in which way you want to head I
9 think.

10 MR. LEHNEN:

11 I think in other states they've obviously faced
12 these same issues, and some are facing them now, some
13 are facing them in the past. I think the key things
14 you have to evaluate are what's important to you.
15 You've got economic factors. You've got commercial
16 factors. You've got growth factors. You've got a lot
17 of impacts in the state that influence the use of the
18 resources. And so it really is a stakeholder-driven
19 process to decide what is important to you and the
20 stakeholders. Do you want to sacrifice a water body?
21 That's your choice. Maybe that's in the economic
22 interest of the state. You can make those decisions.
23 You might find some resistance to it, but you can make
24 those decisions. I think that's a statewide balancing
25 act that is very much stakeholder driven.

26 I can't tell you exactly what I would suggest for
27 the state. I can tell you what has happened in some
28 other states if you'd like.

29 COMMISSIONER GIVENS:

30 Well, I think that you touched on some of what I

1 was particularly interested in hearing you talk about
2 from the stakeholder involvement. There are two
3 approaches on opposite ends. If you want one being
4 the local level stakeholder type of situation and
5 aggregating to some higher level, and the other being
6 a statewide approach-driven top-down if you want.

7 MR. LEHNEN:

8 In my experience you should have policy that's
9 consistent statewide. It makes it more defensible.
10 It makes it more predictable for the users of the
11 resource, and having separate rules and regulations
12 for regional areas can cause a lot of problems. And
13 so if I was designing it from a clean piece of paper,
14 I would design a statewide policy that would then be
15 promulgated down to the local level, and maybe there's
16 a little twist in this area and something different in
17 that area, but you still have a basic policy that
18 everything rolls up to. If you develop policy at the
19 local level, as soon as you cross those jurisdictional
20 lines the policy changes. That's very difficult for
21 the users of the resource. It's very difficult to
22 manage those cross-jurisdictional issues. I think
23 it's really better to start from the top down and
24 develop in that manner.

25 COMMISSIONER GIVENS:

26 Thank you.

27 COMMISSIONER GAUTREAUX:

28 Charlie?

29 MR. DEMAS:

30 How do you plan to evaluate the interactions

1 between surface and ground water? I mean, that's one
2 of the charges of number one.

3 MR. INMAN:

4 Again, I think Jeff has been working on this
5 exact problem in Florida in some of his recent
6 projects, but certainly that's one of the issues that
7 we'll have to address, but I think Jeff is experienced
8 with some of the water management districts in the
9 state of Florida pertaining exactly to these issues.

10 MR. LEHNEN:

11 Yes. As you know, the interaction between ground
12 water and surface water is very complex. The USGS has
13 been working very hard on that for the last ten years.
14 We're involved in several projects in the state of
15 Florida in particular where we're trying to merge
16 numerical models, the output of a groundwater model
17 with the output or input of a surface water model. I
18 believe the GS is doing the same kind of work. So
19 we're trying to keep up with that technology and
20 utilize the tools that are out there, but the tools
21 just aren't really commercially available. So it is
22 somewhat a research level that we are running into
23 when we are looking at modeling surface groundwater
24 interactions, especially over big regional areas.

25 Really, the best approach for something like that
26 is almost a site-specific case-by-case basis where you
27 can get enough of the data that you can pin down the
28 interaction between the surface water/groundwater
29 systems and know, have some confidence that you're
30 simulating what's really happening in that area. Once

1 you scale it up to a broad regional area, I believe
2 the usefulness of it gets kind of tricky.

3 MR. DEMAS:

4 Do you plan to run models as part of Part 1?

5 MR. LEHNEN:

6 No, no. There's not enough time to accomplish
7 those kinds of things. What we will do is try to
8 identify the needs, and maybe areas where developing
9 some regional models in the groundwater system in
10 particular might have some benefit.

11 MR. DEMAS:

12 One of the unique things down here is that if we
13 do take out of surface water, especially in the
14 coastal areas, we have strong concerns on the impacts
15 on our coastal erosion and CCWPPRA plan. So have you
16 guys given any thought to the interaction on that?

17 MR. INMAN:

18 We realize that those are some very important
19 issues with the wetlands. Some of the work we've done
20 in other states certainly combine the impact of a
21 wetland versus a drawdown in the groundwater systems,
22 but we're looking at other alternatives where water of
23 lower quality surface water might be used to restore,
24 help restore coastal wetlands. And so when we look at
25 the alternatives available and look at different reuse
26 areas, particularly for reuse water, that would be one
27 of our key elements in coastal Louisiana would be
28 looking at the wetlands restoration.

29 COMMISSIONER GAUTREAUX:

30 Thank you. Bo?

1 COMMISSIONER BOLOURCHI:

2 I found the aquifer storage and recovery ASR
3 technology, which according to the proposal it was
4 developed and successfully implemented by CH2M Hill;
5 is that correct?

6 MR. LEHNEN:

7 Yes, sir.

8 COMMISSIONER BOLOURCHI:

9 I find it unique and promising. Could you
10 elaborate on that technology? And what's the
11 difference between that technology and artificial
12 recharge?

13 MR. MCDONALD:

14 I can tell you a little bit about ASR, aquifer
15 storage recovery. And what the technology is is it's
16 a way to store large volumes of water under ground in
17 a freshwater aquifer or brackish aquifers. And what
18 you typically -- the typical application is to take
19 fresh water when it's available during periods of low
20 demand, say in the winter months, and have it and
21 recharge it under ground through a well and store it
22 under ground, and then during the summer months when
23 demands are high and you need that water, you recover
24 it through the same well, disinfect it, and place it
25 in the distribution system. And you're able to store,
26 as opposed to elevated tanks, you know, five or ten
27 million gallons, it's 100 million gallons up to maybe
28 500 million gallons to be able to store that under
29 ground and recover it when you need it.

30 So that's kind of the technology for ASR. It's a

1 way of storing water under ground and storing large
2 volumes of water under ground. There are
3 approximately 30 -- about 30 or 35 operating systems
4 in the country at this time that are fully operating.
5 There are probably another 50 that are in development.

6 COMMISSIONER BOLOURCHI:

7 Are they mostly in the west, western states?

8 MR. MCDONALD:

9 There are some in California. Actually, it
10 started in Florida. It was mostly developed in
11 Florida. Most of the systems are in Florida.
12 California is probably second. Up and down the east
13 coast, Texas, Iowa, Washington State, they are pretty
14 spread around.

15 COMMISSIONER BOLOURCHI:

16 Have y'all considered proposing, let's say ponds,
17 dig up ponds and fill them up during the flooding
18 area, and then using it where you need it?

19 MR. MCDONALD:

20 Yes, we've worked on surface type recharge
21 projects also. Typically it would take a large volume
22 of land, obviously. In areas where land is expensive
23 it's not necessarily something that we would apply,
24 but we've done those kind of projects and they are
25 applicable in certain areas, and that is something
26 that we have done and can certainly look at.

27 And you did have the question about the
28 difference between ASR and recharge. Strictly
29 recharge is just putting the water under ground and
30 leaving it there where maybe you would have saltwater

1 encroachment issues or something along those lines;
2 whereas, in ASR you recover the water, and recharge
3 you leave it under ground.

4 COMMISSIONER GAUTREAUX:

5 Thank you. Bob, could you just please let
6 everyone know what the procedure will be from here?

7 MR. HARPER:

8 The procedure from here is the selection
9 committee will meet. They will agree upon a selection
10 to recommend to the Secretary. It will provide
11 written comments and justification for the selection
12 of the firm to the Secretary, and the Secretary will
13 approve the selection and will enter into contract
14 negotiations.

15 COMMISSIONER GAUTREAUX:

16 Thank you. Thank you all. Once again, thanks to
17 the selection team members for their work, and also to
18 the Commission and Advisory Task Force members who
19 initially helped develop the scope.

20 The next thing that's on the agenda is the
21 presentation of the Draft of the Amended Emergency
22 Rule for Critical Ground Water Area Designation
23 Procedure and Process. And as I mentioned earlier,
24 the first emergency rule dealt primarily with the
25 application procedure. This had some minor revisions
26 to that emergency rule, and also sets forth a hearing
27 procedure for the entire process. And I'm going to
28 ask Anthony Duplechin to review the emergency rule.
29 And I'll just remind you that we're not asking for
30 action today. Tony?

1 MR. DUPLÉCHIN:

2 How much detail did you want me to go into it?
3 Go over what has been changed?

4 COMMISSIONER GAUTREAUX:

5 Yes, let's just hit on what's been changed.

6 COMMISSIONER ASPRODITES:

7 Actually, the main changes that have some
8 substantive effect.

9 MR. DUPLÉCHIN:

10 Right. We changed the or proposed to change the
11 definition of groundwater emergency taking into
12 consideration numerous comments that were made two
13 months ago at the meeting in August. And we have
14 changed the definition to read, "Ground water
15 emergency shall mean an unanticipated occurrence as a
16 result of a natural force or a manmade act which
17 causes either the depletion of a groundwater source or
18 a lack of access to a groundwater source, or the
19 likelihood of excessive pumping from a groundwater
20 source."

21 The second portion that we made changes to were
22 in application. Major change there was to add a
23 section, Application by Commission. It states "The
24 Commission may initiate a hearing to consider action
25 with respect to a specific groundwater area. The
26 Commission shall notify the public pursuant to 3303
27 and 3501(A) prior to issuing an order. The
28 information presented by the Commission at the hearing
29 shall include, but not be limited to, the information
30 pursuant to 3305(A) and 3307."

1 Also added Ground Water Emergency.

2 "Notwithstanding the provisions of paragraphs A and B
3 hereof, the Commission may initiate action in response
4 to an application of an interested party, or upon its
5 own motion in response to a groundwater emergency.
6 Subsequent to adoption of a proposed emergency order
7 that shall include designation of a critical
8 groundwater area and/or adoption of an emergency
9 management plan for an affected aquifer, the
10 Commission will promptly schedule a public hearing
11 pursuant to 3501(B)."

12 Under Criteria for a Critical Ground Water
13 Designation, we changed the wording of Section B to
14 read, "Applicant shall also submit recommendations
15 regarding the critical groundwater area, including,
16 but not limited to the following: the designation of
17 the critical groundwater area boundaries, and the
18 recommended management controls of the critical
19 groundwater area that may include but not be limited
20 to: A. restrictions on the amount of withdrawals by
21 each user in the area, and/or B. requiring new permits
22 for the drilling of new water wells including but not
23 limited to, i. spacing restrictions, and/or ii. depth
24 restrictions."

25 Under recordkeeping we added that the public
26 documents relating to hearings or decisions by the
27 Commission would be kept by the Office of
28 Conservation.

29 Under Hearing, Notice of Hearing we made a slight
30 change to have the section say, "Upon determination

1 that an application is complete, the Commission shall
2 schedule one initial public hearing at a location to
3 be determined by the Commission in the locality of the
4 area affected by the application. Such notice shall
5 be published in the official state journal and the
6 official parish journal of each parish affected by the
7 application at least 30 calendar days before the date
8 of such hearing."

9 Part B was changed to say, "The Commission will
10 notify the public of any hearing initiated by the
11 Commission either as a result of an action pursuant to
12 3305(C) or 3505(B) a minimum of 15 days prior to the
13 hearing. Hearings initiated by the Commission will be
14 held in each parish affected by the Commission's
15 action under 3305(C) or 3505(B). Notice of the
16 hearing shall contain the date, time, and location of
17 the hearing, and the location of materials available
18 for public inspection. Such notice shall be published
19 in the official state journal and the official parish
20 journal of each parish affected by the Commission's
21 petition."

22 Under 3505, Decision, a few changes were made and
23 additions were made to state that -- I'll just read
24 the whole thing. "After hearings held pursuant to
25 3501(A) or 3305(C), the Commission shall issue a
26 written decision in the form of an order based on
27 scientifically sound data gathered from the
28 application, the participants in the hearing, and any
29 other relevant information. The order shall contain a
30 statement of findings, and shall include but shall not

1 be limited to: 1. designation of the critical
2 groundwater area boundaries, and/or 2. the recommended
3 management controls of the critical groundwater area
4 that may include but not be limited to; a.
5 restrictions on the amount of withdrawals by each user
6 in the area, and/or b. requiring new permits for the
7 drilling of new water wells including but not limited
8 to, i. spacing restrictions, and/or ii. depth
9 restrictions.

10 "B. The Commission will make the order and
11 propose management controls available to the
12 applicant, participants in the original application
13 hearing, and any other persons requesting a copy
14 thereof. The Commission in accordance with 3501(B)
15 will initiate hearings on the order, and propose
16 management controls in each parish affected by said
17 order and management controls.

18 "C. Final orders - The Commission will adopt
19 final orders and management controls after completion
20 of 3501(B). The final orders shall be made a part of
21 the permanent records of the Commission in accordance
22 with 3311 and shall be made available to the public
23 upon request."

24 COMMISSIONER GAUTREAUX:

25 Thank you. I would like to add that there are a
26 set of figures attached to the Draft Emergency Rules
27 that outline the procedure. Hopefully that will help
28 clarify the process for application by Commission, or
29 an applicant other than the Commission. So these will
30 not be submitted as part of the emergency rules, but

1 hopefully they will be helpful in understanding the
2 process.

3 Do we have any comments or questions by our
4 Commissioners concerning these Emergency Rules?
5 Again, we're not going to act on them today. We can
6 discuss them. We'll also accept comments and welcome
7 input between now and the next Management Commission
8 when we'll probably ask to take an action on them.

9 I also at this point want to encourage everyone,
10 if you did not sign in, please make sure you sign in
11 because one of the things we try to do is distribute
12 the information on a notification list. So if you've
13 signed in and we have your E-mail address, you'll get
14 such information in advance.

15 No comments or questions by the Commission?

16 (No response.)

17 Let's move on to the next topic which Tony will
18 also give, the Ground Water Staff report.

19 MR. DUPLÉCHIN:

20 In addition to participating in the proposal
21 review team, the staff of the Ground Water Management
22 Commission has spent considerable time logging in
23 water well information sheets, and we started after
24 our last Commission meeting responding to owners
25 and/or drillers who had submitted these sheets letting
26 them know that we did, in fact, get the sheets.

27 We are still experiencing a little bit of a
28 problem. People think that we are issuing permits,
29 and that they can't drill the water well until they've
30 heard back from us. Legislation merely states that 60

1 days prior to drilling the well this information must
2 be submitted to the Commissioner of Conservation. We
3 are trying our very best to get the word out to people
4 what this program that the legislation from last year
5 created is all about. In an effort to assist with
6 that, this morning at the Task Force meeting I did ask
7 the Task Force members that were there to assist us in
8 getting the word out to the different groups that they
9 represent and letting them know what the requirements
10 are here.

11 We have also redesigned our website to make it
12 more user-friendly, and put more applicable
13 information on it, as well as links to other websites
14 that have similar information; such as the Sparta
15 aquifer's website and the Capital Area Ground Water
16 Conservation District's website, as well as the LSU Ag
17 Center's website which has a veritable plethora of
18 information from the meetings held in February and
19 August.

20 COMMISSIONER GAUTREAUX:

21 Tony, could you give everyone that website while
22 we're talking about it, the address?

23 MR. DUPLÉCHIN:

24 The address for our website is
25 www.dnr.state.la.us. This will bring up Department of
26 Natural Resources home page, and there's a link in --
27 it comes out about in the middle of the page to the
28 Ground Water Management Commission. That will take
29 you directly to our website. The redesigned website
30 has the transcripts, verbatim transcripts and

1 summaries of all of the Commission meetings. It also
2 has a list of when the Commission meetings were held,
3 and where proposed meetings or the next meeting will
4 be held. The same thing holds true for the Advisory
5 Task Force. It has information on those meetings, as
6 well as the agenda for those meetings. The members of
7 the Commission are listed along with their E-mail
8 addresses on the website, and the same thing holds
9 true for the Task Force members.

10 We have also made several just cause decisions
11 since our last meeting. We have made five such
12 decisions. Two were for test holes for an aquifer
13 test, and three were from drillers who had very short
14 notice from their clients: one non-community public
15 supply, one irrigation well, and one well to fill up a
16 crawfish pond. That's it.

17 COMMISSIONER GAUTREAUX:

18 We would just like to remind people that are new
19 to the process, this is just a waiver of the 60-day
20 advance registration. These wells still will be
21 registered. So there was a little confusion about
22 that early on.

23 The next item -- any questions for Tony?

24 (No response.)

25 Thank you, Tony. As I mentioned, this morning
26 our Ground Water Management Advisory Task Force met at
27 the Department of Wildlife and Fisheries, and I think
28 we had a good meeting. As I mentioned at the Task
29 Force meeting we will always have an opportunity at
30 the Commission to review what's happened and accept

1 recommendations and so forth and have discussion. We
2 also provide the Task Force with an update on
3 Commission activities. So hopefully there's a linkage
4 there, and as you can see there are many of our
5 members here today.

6 One of the things that we did have an opportunity
7 to do is meet among the subcommittees, although we had
8 a little logistics problem and we formed a couple of
9 super committees for discussion, and sometimes people
10 were reluctant to go to committee number two if they
11 belonged to one. So we had some very good discussion,
12 though, and I'm going to now ask for our committee
13 chairs or designated spokesperson for the various
14 committees to give us a report of their activities or
15 comments that they may have. And we'll start -- we'll
16 just go in alphabetical order. The Agriculture
17 Committee? Would you please come down and introduce
18 yourself so we'll have that as part of the record?

19 MR. BARR:

20 I'm Jess Barr with Louisiana Cotton Producers.
21 And the Agriculture Committee would like to recommend
22 that as part of the additional 60-day waiver that we
23 add an additional recommendation on there for what we
24 would like to call drought condition wells, and these
25 would be defined as a well installed to alleviate crop
26 or livestock stress during periods of moderate or
27 extreme drought as indicated by the Palmer Drought
28 Index.

29 COMMISSIONER GAUTREAUX:

30 Thank you. What I had suggested this morning,

1 and we can open it up to Commission members this
2 afternoon, is go ahead and post that as a proposed
3 revision to our 60-day waiver, and we will accept
4 comments, and then just as the other things that we've
5 approved or otherwise, we'll put it on the agenda for
6 the next meeting as a potential adjustment to our 60-
7 day waiver process.

8 Is there any question or comment regarding that
9 request? (No response.) Thank you.

10 The next one is the Ecology Committee.

11 MR. LANCTOT:

12 No report.

13 COMMISSIONER GAUTREAUX:

14 Well, you had something to say this morning.

15 MR. LANCTOT:

16 Not any recommendations.

17 COMMISSIONER GAUTREAUX:

18 I think you were going to survey, or make some
19 recommendations, or look at the issues in terms of
20 linkages between --

21 MR. LANCTOT:

22 Provide some examples of impacts on ecosystems
23 related to the depletion of water.

24 COMMISSIONER GAUTREAUX:

25 Okay, that's fine. Thank you. The Economic
26 Development Committee?

27 MR. OWEN:

28 No report.

29 COMMISSIONER GAUTREAUX:

30 Thank you. Well, are you going to handle the

1 Policy Committee Discussion?

2 MR. OWEN:

3 Yes.

4 COMMISSIONER GAUTREAUX:

5 All right, the Industrial Committee?

6 MR. LYONS:

7 My name is Mike Lyons with Mid-Continent Oil and
8 Gas Association, and chair of the Industrial
9 Committee. We have designated individual members of
10 our committee to each of the other committees that
11 serve on the Advisory Task Force in order that we
12 might network with those other groups.

13 We're also developing a questionnaire that will
14 be utilized by the various trade associations,
15 primarily LCA, Mid-Continent, and the Pulp and Paper
16 group to look at current usage, as well as forecast
17 use needs within the industrial sector. We have also
18 decided to look at possible incentives for
19 transferring from groundwater sources to surface water
20 sources, and impediments to such transfers.

21 COMMISSIONER GAUTREAUX:

22 Thank you. The Outreach Committee?

23 MS. WALKER:

24 My name is Linda Walker. I'm originally with the
25 -- I'm with the League of Women Voters. The Outreach
26 Committee has determined that we're going to have a
27 full committee meeting on either the 13th or 14th of
28 November where we will in depth get into what kind of
29 publications maybe we would like to see, and some of
30 the long-range planning.

1 But we also decided that some immediate action
2 was needed, and that we would like to have an article
3 that really the staff and the expertise in the
4 Department need to develop that we can have available
5 to put into all sorts of internal publications,
6 particularly to the decision-makers in the state to
7 inform them of what's happened to this point, and how
8 this group is working, and what we can see for the
9 future. And those need to go to the Police Jury
10 publications, Louisiana Mayoral Association, any of
11 the things that we can think of. And if we can get
12 the Governor to maybe outreach in some of the things
13 that he does, such as his radio program and the
14 publications where he has columns. And then following
15 that, to keep updates going so that all the people
16 across the state, particularly the decision-makers
17 from this point on, will stay fully informed. And we
18 see that as an immediate need. Thank you.

19 COMMISSIONER GAUTREAUX:

20 Thank you. And we mentioned that our Staff at
21 Conservation tends to be more on the technical side,
22 so we'll be looking to members of our Task Force and
23 Commission for writing talents to assist in that
24 effort. Another thing, Linda mentioned meetings, and
25 as we mentioned this morning, all of the committees of
26 the Advisory Task Force and Commission will be subject
27 to public meeting law. So we will do our best to
28 notify. We will notify as we do for our regular
29 meetings, but we will also notify people when
30 committee meetings are taking place so you'll have the

1 opportunity to attend the committee of your choice.

2 Thank you.

3 Policy committee?

4 MR. OWEN:

5 Every member -- I'm Gene Owen with Baton Rouge
6 Water Company. Every member of the Policy Committee
7 has a duplicate assignment on another committee, and
8 each of those individuals was present at another
9 committee. I met as a committee of one this morning,
10 and I bring you a unanimous decision by that
11 committee. We would like to request that in your
12 consideration of the Emergency Rules for Ground Water
13 Management that in the decision in paragraph 3505 that
14 you insert clarifying language in paragraph 3505(A)2.a
15 that would make it abundantly clear that it is not the
16 intent of these regulations to require pro rata
17 reductions or curtailment in the use of each user, but
18 you may curtail the usage of any user. But what I
19 would like to do is get away from the concept that
20 these regulations might require pro rata reduction by
21 every user if any user is curtailed.

22 COMMISSIONER GAUTREAUX:

23 Thank you, Mr. Owen. And as we mentioned this
24 morning after the unanimous recommendation of the
25 Policy Committee, we will ask staff members to look at
26 that and see if we can come up with some language
27 consistent with the Act which said that public health
28 and safety is the first priority, and after that we
29 will consider historical use, previous conservation,
30 et cetera. So we will be working on some potential

1 clarification language for our Task Force and
2 Commission to consider again for clarification.
3 Public Supply?

4 (No report.)

5 Surface and Ground Water? Charlie?

6 COMMISSIONER ASPRODITES:

7 Is that with Technical?

8 COMMISSIONER GAUTREAUX:

9 I think the groups were combined, and I'm not
10 sure who was here to give the report.

11 MR. DEMAS:

12 The Surface Water and Ground Water Committee and
13 the Technical Committee both met together. We have
14 decided to hold a joint meeting with whoever the
15 consultant that is selected as soon as possible, as
16 soon as it's legally possible to brief them on what
17 data is available, and also on the concepts that the
18 Surface and Ground Water subcommittee wants them to
19 consider.

20 COMMISSIONER GAUTREAUX:

21 Thank you. Those conclude our committee reports.
22 Are there any questions or comments? (No response.)
23 I just had a question about the Technical. That
24 actually is a combined report. There was one big
25 supergroup, so that's -- that was the consensus
26 decision of the Technical and Surface and Ground Water
27 group.

28 Are there any other questions or comments by our
29 Commission members? Bo?

30 COMMISSIONER BOLOURCHI:

1 If that's in order I would like to request that
2 the representative of the Red River Compact Commission
3 be added to the Surface and Ground Water Committee.

4 COMMISSIONER GAUTREAUX:

5 Charlotte, can we make a note of that? I trust
6 you'll notify that person that they have been added.

7 COMMISSIONER BOLOURCHI:

8 Yes.

9 COMMISSIONER GAUTREAUX:

10 Thank you. New business? I think we've
11 discussed our Emergency Rule already, which we had
12 anticipated as the new business. Are there any other
13 items that members of the Commission need to bring to
14 our attention?

15 (No response.)

16 Public comments?

17 (No response.)

18 COMMISSIONER NAMWAMBA:

19 I just wanted to bring to the notice of my fellow
20 committee members -- Commission members and Task Force
21 that I was away the last meeting because my mother
22 passed away and I had to travel, and I've been through
23 grieving, and I think I'm over the grieving and I'm
24 back. Thank you.

25 COMMISSIONER GAUTREAUX:

26 Thank you, and you certainly have the condolences
27 of the Commission. We're glad to have you back. All
28 right, well, schedule for next meeting. I would
29 assume we probably want to follow our monthly
30 schedule, but I would like to I guess consult with the

1 Staff in terms of what we're looking at with the
2 consultant coming on, if we could possibly have a
3 meeting soon after the selection process. So if we
4 can target that, unless someone else has an idea. If
5 we're looking toward -- well, that might be pretty
6 soon.

7 COMMISSIONER ASPRODITES:

8 28th of November? That's after the holidays.

9 COMMISSIONER GAUTREAUX:

10 1:30 on the 26th? Okay, that's a Wednesday.
11 Okay, the 28th. Is that all right? Our contractor
12 will hopefully have been on board a week or two, but
13 perhaps that's a good time in terms of trying to
14 settle details. And a couple of the committees have
15 indicated they're planning on meeting mid-month, so
16 that might be a nice stretch for some work to have
17 been accomplished. The 28th, does that work for
18 everyone? And we'll just try to do the afternoon.
19 We'll do 1:30. We will not be able, if I recall
20 correctly, to have this room. We're going to have to
21 find another location, but we'll stick with the 1:30
22 time frame, and we'll also shoot for an Advisory Task
23 Force meeting that morning. And I will determine the
24 location for that one as well and notify you as
25 quickly as we can. Any comments or questions,
26 business?

27 (No response.)

28 If not, do I hear a motion to adjourn?

29 COMMISSIONER ASPRODITES:

30 I move that we adjourn.

1 COMMISSIONER GAUTREAUX:

2 A second?

3 COMMISSIONER BOLOURCHI:

4 Second.

5 COMMISSIONER GAUTREAUX:

6 All in favor? (Aye.)

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CERTIFICATE

I, SUZETTE M. MAGEE, Certified Court Reporter, do hereby certify that the foregoing meeting was held on October 22, 2001, in the Mineral Board Hearing Room, Baton Rouge, Louisiana; that I did report the proceedings thereof; that the foregoing pages, numbered 1 through 74, inclusive, constitute a true and correct transcript of the proceedings thereof.

SUZETTE M. MAGEE, CCR #93079

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